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From: Dermer, Michele
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Subject: FW: Emergency Rules Proposed for Injection Wells By California Oil, Gas Division to Fill Gaps

From: Graves, Brian
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To: Bates, William; Belaval, Marcel; Cheung, Wendy; Coffman, Joel; Cole, Larry; Cutler, Thor; Dermer, Michele; Elkins, Timothy; Ferreira, James; Frazier, Mike; Garrett, David; Graves, Brian; Hildebrandt, Kurt; Johnson, Ken-E; Jollie, Jeff; Kim, Lisa; Kobelski, Bruce; Micham, Ross; Platt, Steve; Rectenwald, David; Robin, George; Rodriguez, Luis; Rumrill, Nancy; Smith, Robert-Eu; Springborg, Denise; Tinsley, Chuck; Tiago, Joseph; Dellinger, Philip; Smith, Robert-Eu; Moore, Keara; Green, Holly
Subject: Emergency Rules Proposed for Injection Wells By California Oil, Gas Division to Fill Gaps

Emergency Rules Proposed for Injection Wells By California Oil, Gas Division to Fill Gaps

By [Carolyn Whetzel](#) BNA

April 2 — California regulators plan to propose emergency rules to address deficiencies in the state's Class II underground injection well program.

The Department of Conservation's Division of Oil, Gas and Geothermal Resources (DOGGR) said April 2 it will forward the regulations to the Office of Administrative Law on April 9, which then has 10 days to approve or reject them.

"This is a significant step in California's commitment to ensure that underground injection practices comply with the federal Safe Drinking Water Act (SDWA) and to quickly eliminate risks to California's precious water resources," State Oil and Gas Supervisor Steven Bohlen said in a written statement.

DOGGR said the emergency rulemaking includes the "concrete steps and deadlines" designed to bring the program into compliance with U.S. Environmental Protection Agency standards.

The emergency regulations are consistent with a plan the EPA approved in March to correct the flaws in the state program regulating injection wells used in oil and gas operations, DOGGR said ([47 DEN A-15, 3/11/15](#)).

In recent months, DOGGR has been criticized by lawmakers and environmental advocates for taking so long to address problems with the program the EPA identified in a 2011 audit.

Drilling in Non-Exempt Aquifers

A key issue involved the discovery the state has allowed for several years the drilling of some of the injection wells for use as disposal wells in non-exempt aquifers, which could provide water suitable for drinking or irrigation.

DOGGR already has ordered closure of 23 injection wells, some of which have been closed by operators voluntarily.

The emergency regulations establish an Oct. 15, 2015, deadline for injection into aquifers that do not naturally contain oil reservoirs and with water quality of less than 3,000 milligrams per liter of total dissolved solids. Injection into non-exempt aquifers with water quality of less than 10,000 total dissolved solids must end by Feb. 15, 2017.

Also, the regulations require a halt to injection into 11 aquifers with an unclear exemption status by Dec. 31, 2016, if the EPA determines the wells should remain exempt, DOGGR said.

“Our agreement with the EPA is to review all injection wells in the state,” Bohlen said. “Within the next few weeks the high-priority wells will be complete. If they are too close to a beneficial use well, we will issue an order to shut them down.

“To be clear, no contamination has been found related to oil and gas operations, but we’re taking a conservative cautious approach,” Bohlen said.

Once posted on the OAL’s website, the public will have five calendar days to comment on the emergency regulations, DOGGR said.

For More Information

Text of the proposed emergency regulations is available at http://www.conservation.ca.gov/dog/general_information/Pages/UICRegs.aspx